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LFB*

Office of General Counsel

19 October 1956

ATTN : [REDACTED] 25X1A  
Chief, Finance Division

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Payment of Travel Expenses for Personnel on "TDY" Status in Headquarters

1. In accordance with our conversation of this morning, Finance Division periodically receives claims for reimbursement of expenses incurred by Case Officers or others in connection with operational escort duty in their official Headquarters areas. In addition to appropriate travel orders, such claims are ordinarily supported by memoranda or certifications to the effect that claims for reimbursement of travel expenses incurred in the Headquarters area is made because the nature of the assignment, i.e., requirement that the escort remain with the operational contact at all times, forced him to live in a hotel with the contact, to take all meals away from home, and otherwise incur personal expenses to the same extent as if he were in TDY status away from Headquarters.

2. In other instances, claims are received covering reimbursement for meals and/or lodging incurred under the circumstances as described above except that the assignment is such that all meals and lodging are not required to be taken with the operational contact.

3. As indicated during our conversation, it is my view that in the circumstances cited under paragraph 1 above that, notwithstanding the fact that the employee is physically present in his headquarters and so precluded from receiving travel allowance under standardized governmental regulations, he is in fact in a TDY status away from home and accordingly reimbursement of properly authorized and approved travel expenses, either on a per diem or actual expense basis within legal limitations, is authorized under the terms of [REDACTED]. In the event meals taken with operational contacts are claimed as entertainment meals, per diem would, of course, be subject to deductions required by [REDACTED]

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4. In the circumstances described under paragraph 2 above, it is the view of this office that rental of lodging is appropriate for reimbursement on an actual expense basis as a proper operational expense. Further meals taken with operational contacts are reimburseable as claims for operational entertainment meals subject to the deduction [REDACTED]

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5. Your review and advice as to the legal propriety of the position expressed above will be appreciated.

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